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Docket Number (Optional)
MTS-520US3

**SUBSTITUTE
REISSUE APPLICATION DECLARATION BY THE INVENTOR**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,761,301, granted June 2, 1998, and for which a

in patent number 5,705,551, granted on [REDACTED]
reissue patent is sought on the invention entitled **MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON
OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK**

the specification of which

is attached hereto.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

1 acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56.

37 CFR 1.55.
I verify believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

by reason of a defective specification or drawing.

by reason of the patentee claiming more or less than he had the right to claim in the patent.

by reason of other errors.

At least one error code which reissue is based is described as follows: See Attachment

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)
MTS-520US3

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name(s) Registration Number
Allan Ratner 19,717

(Also see attached)

Correspondence Address: Direct all communications about the application to:

 Customer Number


Customer Number
Bar Code is elsewhere
23122

PATENT TRADEMARK OFFICE

OR

Type Customer Number here

<input checked="" type="checkbox"/> Firm or Individual Name	RatnerPrestia				
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Country					
Telephone	(610) 407-0700	Fax	(610) 407-0701		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such wilful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)
Mitsuki Oshima

Inventor's signature <i>Mitsuki Oshima</i>	Date 12/9/2002
Residence Osaka, Japan	Citizenship Japanese
Mailing Address 115-5, Minamitatsumi-cho, Katsuma, Nishikyo-ku, Kyoto-shi, Kyoto 815 Japan	

Full name of second joint inventor (given name, family name)
Yoshiho Gotoh

Inventor's signature <i>Yoshiho Gotoh</i>	Date 12/9/2002
Residence Osaka, Japan	Citizenship Japanese
Mailing Address Room 201, 9-17, Higashinkahama 4-chome, Jyoto-ku, Osaka-shi, Osaka 556 Japan	

Full name of third joint inventor (given name, family name)

Inventor's signature	Date
Residence	Citizenship
Mailing Address	

Additional joint inventors are named on separately numbered sheets attached hereto.

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Attachment to PTO/SB/51 (10-00)
Reissue Application Declaration by the Inventor

At least one error upon which reissue is based is described as follows:

During the prosecution of the application that issued as the above patent, the inventors did not recognize that the features disclosed in the patent at column 12, lines 30-36 were appropriate to claim. As such, the inventor's did not claim all that they had a right to claim. This error was made without deceptive intent. Specifically, the inventors did not claim any one or more of the features of the reflective layer being trimmed by a laser to form a barcode-like trimming pattern or at least one marking.

More specifically, the inventors did not claim any one of the features of trimming the reflective layer of an optical disk to form a barcode pattern, where the barcode pattern is formed on pits functioning as a track on the disk.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which the priority date is claimed:

Prior Foreign Application(s)

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>
6-283415	Japan	17/November/1994
7-016153	Japan	02/February/1995
7-261247	Japan	09/October/1995

**Attachment to PTO/SB/51 (10-00)
Reissue Application Declaration by the Inventor**

Robert L. Andersen	Reg. No. 25,771	Lawrence E. Ashery	Reg. No. 34,515	Steven E. Bach	Reg. No. 46,530
Daniel N. Calder	Reg. No. 27,424	Lowell L. Carson	Reg. No. 48,548	Kevin R. Casey	Reg. No. 32,117
Joshua L. Cohen	Reg. No. 38,040	Rex A. Donnelly, IV	Reg. No. 41,712	Jacques L. Elkowicz	Reg. No. 41,738
Kevin W. Goldstein	Reg. No. 34,608	William P. Hauser	Reg. No. 26,277	Jack J. Jankovitz	Reg. No. 42,690
Costas S. Krikeliç	Reg. No. 28,028	Benjamin E. Leace	Reg. No. 33,412	Christopher R. Lewis	Reg. No. 36,201
Bruce M. Monroe	Reg. No. 33,602	Andrew L. Ney	Reg. No. 20,300	Kenneth N. Nigon	Reg. No. 31,549
Pamela D. Politis	Reg. No. 47,865	Paul F. Prestia	Reg. No. 23,031	Allan Ratner	Reg. No. 19,717
Robert P. Seiter	Reg. No. 24,856	James C. Simmons	Reg. No. 24,842	Jonathan H. Spadt	Reg. No. 45,122
Christopher M. Spletzer	Reg. No. 52,240	Frank Tise	Reg. No. 50,379	Stanley Weinberg	Reg. No. 25,276